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PTO/SB/21 (09-04)

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

8 **

Application Number

10/560,648 ✓

Filing Date

12/13/2005

First Named Inventor

Peter Hofbauer

Art Unit

3747

Examiner Name

MCMAHON, MARGUERITE J

Attorney Docket Number

APT-2.005.PCT.US

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

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Power of Attorney, Revocation

☐

Change of Correspondence Address

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Terminal Disclaimer

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Request for Refund

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CD, Number of CD(s) _____

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Landscape Table on CD

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After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

return receipt postcard

IDS non-US patent references

statement regarding non-English language
references

Remarks

Total number of pages does NOT include non-US patent references.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

GANZ LAW, P.C.

Signature

Printed name

Bradley M. Ganz

Date

10 Oct 2006

Reg. No.

34,170

CERTIFICATE OF TRANSMISSION/MAILING

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Signature

Tracie Brooks

Typed or printed name

Tracie Brooks

Date

10-4-06

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Peter Hofbauer.

Serial No.: 10/560,648

Filed: December 13, 2005

For: INTERNAL COMBUSTION ENGINE

Mailstop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Confirmation No. 8722

Attorney Docket No.: APT-2.005.PCT.US

Art Unit: 3747

Examiner: Marguerite J. McMahon

CERTIFICATE OF TRANSMISSION/MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE USPTO AT (571) 272-8300 OR DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE FOR FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON THE DATE INDICATED BELOW.

Tracie Brooks

Tracie Brooks

Date of Deposit: 10-4-06

STATEMENT IN COMPLIANCE WITH 37 C.F.R. § 1.98(a)(3)(i)

Sir:

The following foreign language patent references are cited on the attached PTO/SB/8A forms:

- Japanese Patent No. 135818
- Japanese Publication No. Sho 55-76827
- Japanese Publication No. Sho 58-10115
- Japanese Publication No. Hei 7-102990
- Japanese Publication No. 2000-104560

These references are supplied due to their possible relevance. Neither Applicant nor Applicant's representative has read the non-English language texts of each of these references and, therefore, cannot assess its relevance.

Respectfully submitted,

Date: 4 Oct 2006

Bradley M. Ganz

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PTO/SB/08A (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1

of 6

Complete if Known

Application Number	10/560,648
Filing Date	December 13, 2005
First Named Inventor	Peter Hofbauer
Art Unit	3747
Examiner Name	MCMAHON, MARGUERITE J
Attorney Docket Number	APT-2.005.PCT.US

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-1,167,366	01/14/1916	FESSENDEN	
		US-1,232,174	07/03/1917	BACHELET	
		US-1,616,137	02/01/1927	PALMER	
		US-1,719,537	07/02/1929	DULCHE	
		US-2,254,817	09/02/1941	BLENKER	
		US-2,693,076	11/02/1954	FRANCIS	
		US-2,904,701	09/15/1959	COLGATE	
		US-3,105,153	09/24/1963	JAMES	
		US-3,106,896	10/15/1963	VAN DER LELY ET AL	
		US-3,200,800	08/17/1965	DU BOIS	
		US-3,347,215	10/17/1967	PESCARA	
		US-3,501,087	03/17/1970	BENAROYA	
		US-3,669,571	06/13/1972	BENAROYA	
		US-4,087,205	05/02/1978	HEINTZ	
		US-4,205,528	06/13/1980	GROW	
		US-4,369,021	01/18/1983	HEINTZ	
		US-4,515,313	11/15/1983	BOUTHORS	
		US-4,480,599	11/06/1984	ALLIAS	
		US-4,661,050	04/28/1987	DEMINSKI	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 02/48524	06/20/2002	HOFBAUER		
		WO 03/078809	09/25/2003	HOFBAUER		
		WO 03/078810	09/25/2003	HOFBAUER		
		WO 03/078835	09/25/2003	HOFBAUER		
		GB 531,009	12/27/1940	MOLLER, ET AL		
		DE19503413	08/08/1996	Alb Klein Gmbh		

Examiner
Signature

Date
Considered

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 6**Complete if Known**

Application Number	10/560,648
Filing Date	December 13, 2005
First Named Inventor	Peter Hofbauer
Art Unit	3747
Examiner Name	MCPAHON, MARGUERITE J
Attorney Docket Number	APT-2.005.PCT.US

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 1639334	08-16-1927	H. Ford	
		US- 1875838	09-06-1932	A.E. Winckler	
		US- 2041708	05-26-1936	W. Harper Jr.	
		US- 3485221	12-23-1969	R.S. Feeback	
		US- 3895620	07-22-1975	Foster	
		US- 4248183	02-03-1981	Noguchi , et al.	
		US- 4254745	03-10-1981	Noguchi , et al.	
		US- 4257365	03-24-1981	Noguchi , et al.	
		US- 4258669	03-31-1981	Noguchi , et al.	
		US- 4305349	12-15-1981	Zimmerly	
		US- 4429668	02-07-1984	Nakagawa , et al.	
		US- 4480597	11-06-1984	Noguchi , et al.	
		US- 4485768	12-04-1984	Heniges	
		US- 4491096	01-01-1985	Noguchi , et al.	
		US- 4565165	01-21-1986	Papanicolaou	
		US- 4720640	01-19-1988	Anderson , et al.	
		US- 5559379	09-24-1996	Voss	
		US- 6147415	11-14-2000	Fukada	
		US- 6541875	04-01-2003	Berlinger , et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO9415073	07-07-1994	Peter Graf Von Ingelheim	abstract & figures	
		DE4243255	06-23-1994	Peter Graf Von Ingelheim	figure 1, abstract	
		DE19503444	05-15-1996	Mercedes-Benz Aktiengesellschaft	abstract & figures	
		FR Pub. 852918	03-06-1940	Maschinenfabrik	figure 1, abstract	
		JP Patent 135818		Helen Loverier		
		JP Pub. Sho 55-76827	05-27-1980	Toyo Kogyo Co. Ltd.		

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SignatureDate
Considered

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 3

of 6

Complete if Known

Application Number	10/560,648
Filing Date	December 13, 2005
First Named Inventor	Peter Hofbauer
Art Unit	3747
Examiner Name	MICHAEL, MARGUERITE J
Attorney Docket Number	APT-2.005.PCT.US

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 4,694,785	09/22/1987	TIMMERMAN ET AL	
		US- 4,815,294	03/28/1989	DAVID	
		US- 4,864,976	09/12/1989	FALERNO	
		US- 4,974,556	12/04/1990	ROYSE	
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		US- 4,270,054	05/26/1981	DOWD	
		US- 4,697,113	09/29/1987	YOUNG	
		US- 4,924,956	05/15/1990	DENG ET AL	
		US- 4,627,389	12/09/1986	SIMON	
		US- 4,977,864	12/18/1990	GRANT	
		US- 5,115,725	05/26/1992	HORIUCHI	
		US- 5,163,388	11/17/1992	JONSSON	
		US- 5,280,213	01/18/1994	DAY	
		US- 5,406,911	04/18/1995	HEFLEY	
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		US- 5,421,293	06/06/1995	NOLTEMEYER ET AL	
		US- 5,427,067	06/27/1995	HORIUCHI	
		US- 5,476,074	12/19/1995	BOGGS ET AL	
		US- 5,479,894	01/02/1996	NOLTEMEYER ET AL	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		DE19503443	05/15/1995	Mercedes-Benz		
		DE19943993	03/15/2001	Volkswagen AG		

Examiner Signature		Date Considered	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Application Number	10/560,648
Filing Date	December 13, 2005
First Named Inventor	Peter Hofbauer
Art Unit	3747
Examiner Name	MCMAHON, MARGUERITE J
Attorney Docket Number	APT-2.005.PCT.US

Sheet 4 of 6

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,560,327	10/01/1996	BRACKETT	
		US- 5,586,540	12/24/1996	MARZEC ET AL	
		US- 3,541,362	02/19/1969	POUIT	
		US- 5,654,596	08/05/1997	NASAR	
		US- 5,693,991	12/02/1997	HITERER	
		US- 5,775,273	07/07/1998	BEALE	
		US- 5,794,582	08/18/1998	HORIUCHI	
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		US- 5,884,590	03/23/1999	MINCULESCU	
		US- 5,893,343	04/13/1999	RIGAZZI	
		US- 6,141,971	11/07/2000	HANES	
		US- 6,170,443	01/09/2001	HOFBAUER	
		US- 6,199,519	03/13/2001	VAN BLARIGAN	
		US- 6,513,464	02/04/2003	BUSCH	
		US- 6,513,465	02/04/2003	FUKUOKA ET AL	
		US- 6,513,466	02/04/2003	BIGNION	
		US- RE30,176	12/25/1979	BEALE (reissued US)	
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
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Examiner
Signature

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First Named Inventor	Peter Hofbauer
Art Unit	3747
Examiner Name	MCMAHON, MARGUERITE J
Attorney Docket Number	APT-2.005.PCT.US

Sheet	5	of	6
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)	MM-DD-YYYY			
		WO2005003532	01-13-2005	HOFBAUER, Peter		
		WO05060381C2	07-07-2005	HOFBAUER, Peter		
		JP Pub. Sho 58-10115	01-20-1983	Hitachi, Ltd.		
		JP Pub. Hei 7-102990	04-18-1995	Isuzu Motors Ltd.		
		JP Pub. 2000-104560	04-11-2000	Koji Sakai		

Examiner Signature		Date Considered	
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		Filing Date	December 13, 2005
		First Named Inventor	Peter Hofbauer
		Art Unit	3747
		Examiner Name	MCMAHON, MARGUERITE J
Attorney Docket Number	APT-2.005.PCT.US		
Sheet	6	of	6

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		PCT International Search Report dated June 16 2003 for PCT application no. PCT/US03/08708, filed March 17, 2003, 3 pages	
		PCT International Preliminary Report on Patentability dated January 3, 2006, for PCT application no. PCT/US04/20590, filed June 25, 2004, 5 pages	
		PCT International Search Report and Written Opinion dated October 19, 2004 for PCT application no. PCT/US04/20590, filed June 25, 2004, 6 pages	
		PCT International Search Report dated September 8, 2003 for PCT application no. PCT/US03/08707, filed March 17, 2003, 3 pages	
		PCT International Search Report dated August 1, 2003 for PCT application no. PCT/US03/08709, filed March 17, 2003, 4 pages	
		PCT International Search Report and Written Opinion dated November 30, 2005 for PCT application no. PCT/US04/20596, filed June 24, 2004, 6 pages	
		PCT International Search Report dated August 14, 2001 for PCT application no. PCT/US00/34122, filed December 15, 2000, 3 pages	
		PCT International Written Opinion dated September 2, 2003 for PCT application no. PCT/US00/34122, filed December 15, 2000, 4 pages	
		PCT International Preliminary Examination Report dated August 18, 2004 for PCT application no. PCT/US00/34122, filed December 15, 2000, 3 pages	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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